Bolton Council

Report to:	Corporate Issues Scrutiny Committee		
Date:	Monday, 15th October 2007		
Report of:	Assistant Chief Executive	**Report No:**	15
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Report Title:

WORKFORCE MANAGEMENT REPORT 1st MARCH 2006 – 31st MARCH 2007

Non Confidential

(Non-Confidential) This report does **not** contain information which warrants its consideration in the absence of the press or members of the public.

Significant Variations and Highlighted Matters:

a) A reduction in the number of employees on Fixed Term Contracts of less than one year in this reporting period.
b) A significant reduction in the number of Casual Workers.
c) The provision of overtime data for weekly paid staff for the first time.
d) An increase in the number of Essential Car Users largely attributable to changes in the Home Care Service.
e) An increase in the number of Disciplinary cases.
f) There were no Appeals under the Managing Capability Procedure during this reporting period.
g) 306 employees were managed under the Medical Incapacity Procedure in this reporting period compared to 171 in the previous reporting period.
h) A 'recruitment' campaign will be launched in the autumn to increase the number of Harassment Support Workers across the Council.
i) 42 employees failed to meet the requirements of their job and were managed under the Probationary Period Policy and Procedure.
j) There were no new Regrading Appeals processed during this reporting period pending the completion of the Pay and Grading Review.
k) 8 additional Market Rate Pay Supplements were awarded.
l) All posts have now been evaluated as part of the Council's Pay and Grading Review.
m) Over 1550 Appeals have been registered under the Pay and Grading Review.

Recommendations:

Elected Members are asked to:

a) Note and comment on the contents of the report.

1. Introduction

1.1 Bolton Council has had for some years a Strategic Employment Monitoring Programme which has reported, on an annual basis, to the Corporate Issues Scrutiny Committee various aspects of employment practice within the Council to help guide the future development of the Council's Corporate Employment Policy Framework.

1.2 The information is reported under three separate categories namely; Employee Management, Pay and Remuneration and the Basis of Employment. Below is a summary of the types of information provided:

BASIS OF EMPLOYMENT

Under this heading information has been provided in respect of:

- The number of posts in the Council, including the split between full time and part time employees;
- Non-permanent contracts;
- The number of employees employed on Fixed Term Contracts;
- The number of Secondments;
- Overtime worked;
- The number of Essential Car Users and the number of car park spaces allocated.

EMPLOYEE MANAGEMENT

Under this heading information is provided in respect of:

- The number of Disciplinary Cases and Dismissal Appeals to Elected Members and the outcome(s);
- The number of Managing Capability Hearings and Appeals to Elected Members and the outcome(s);
- The number of Medical Incapacity Hearings and Appeals to Elected Members and the outcome(s);
- The number of Grievance Hearings and Joint Grievance Appeals to Elected Members and the outcome(s);
- The number of Anti-Harassment Investigations and the outcome(s);
- The number of cases dealt with under the Probationary Period Policy and Procedure and the outcomes.

The information contained in this report is a significant indicator as to the state of employee discipline and employee relations generally across the Council. Disciplinary, Managing Capability, Medical Incapacity and Probationary Period issues are initiated by management whereas Grievance and Anti-Harassment issues are originated by employees in the first instance, therefore, the indicators provide different perspectives on the organisation.

The various stages at which problems are resolved helps to assess the effectiveness of existing Corporate HR Policies, Procedures and Guidelines and provides a basis for reviewing and developing these documents in consultation with HR Managers, Elected Members and the Trades Unions.

PAY AND REMUNERATION

Under this heading information is provided in respect of:

- Department led Grading changes;
- Appeals to the Regrading Appeals Panel;
- Honoraria Payments awarded;
- Market Rate Pay Supplements awarded.

1.3 All the recommendations contained in this report were approved at the meeting of the Executive Member for HR, Performance and Diversity on Wednesday, 15th August 2007.

2. BASIS OF EMPLOYMENT

Analysis of data for the period 1st April 2006 – 31st March 2007 and Recommendations.

Establishment

The total number of posts in the Council at 31st March 2007, (Excluding Teachers), was reported as 7048 comprising 51.23% full-time, (3611 posts), and 48.77% part-time employees (3437 posts) compared to 54.5% full time, (3888 posts), and 45.5% part time, (3251 posts), in the previous reporting period 1st April 2005 to 31st March 2006.

Job Share Posts

The total number of job share posts at 31st March 2007 was 36, compared to 31 in the previous reporting period. The incidence of job share varies between Departments and the increase in flexible working practices along with the opportunity for part time employment now means that it is far easier to offer flexible working without specifically appointing to a post on a job share basis.

Non Permanent Contracts

Elected Members will recall that since the introduction of the Fixed Term Employee's (Prevention of Less Favourable Treatment) Regulations 2002 staff are now employed on Fixed Term contracts, as opposed to temporary contracts of employment. These employees are being managed in accordance with the Corporate Guidelines on Employing Staff on Fixed Term Contracts.

232 employees were employed on Fixed Term contracts of less than one year's duration and 323 staff were employed on Fixed Term contracts of more than one year's duration during this reporting period. This data compares to 358 employees employed on Fixed Term contracts of less than one year's duration and 343 staff employed on Fixed Term contracts of more than one year's duration in the previous twelve month reporting period.

Recommendation:

Elected Members will be aware that there have been issues in relation to Fixed Term Contracts in the past and employees have accrued service which entitles them to permanent employment status.

In accordance with the Corporate Guidelines on Employing Staff on Fixed Term Contracts HR teams will monitor the use of fixed term contracts to ensure that employees are not issued with a succession of employment contracts and therefore do not build up sufficient service to gain permanent employment rights.

Casual Workers

The Council had 741 people working on a casual basis as at 31st March 2007 which was a reduction of 341 on the number of Casual workers used in the previous twelve months. The reduction, in the use of this category of workers, can be attributed to closer scrutiny by HR teams as previously Casual Workers were retained on the payroll for an indefinite period even though they may not have worked in the preceding twelve months.

Recommendation:

HR teams to continue to review the use of Casual Workers on an annual basis and remove those Casuals who have not worked in the previous twelve months.

Secondments

In this reporting period there were 38 secondments of less than 12 months duration and 47 secondments of more than 12 months duration, compared to 77 secondments of less than 12 months duration and 11 secondments of more than 12 months duration in the previous reporting period.

Overtime

The use of overtime is a mechanism, which provides Departments with a degree of flexibility to deal with fluctuations in workload and to cover staff shortages. This may include seasonal changes in work requirements, cover for leave and sickness together with the need to respond quickly to emergency situations. There are two categories of overtime worked firstly, overtime worked in excess of an employees contracted hours and secondly, planned overtime which attracts a premium rate for officers on grades SO1 and above.

The Oracle system has been utilised for the first time to provide the costs of overtime for all staff, including weekly paid staff. The number of employees who worked hours in excess of their contract was 4018 for this reporting period and 104 employees worked planned overtime. Of the £2,878,080 paid in overtime £1,125,981 was paid to weekly paid staff.

There was an increase in overtime worked in Children's Services in this reporting period which can be attributed to covering additional workload in those schools which required intensive support or supporting those schools preparing to close or merge, covering vacant posts in schools and working additional hours on Remodelling. In the Corporate Resources Department the increase in planned overtime can be attributed to one-off projects including a combination of Oracle upgrade, implementation of WOSS, (Web One Stop Shop), and Revenues and Benefits relocation.

Recommendation:

HR Managers to undertake a quarterly review of overtime worked to ensure overtime is pro-actively managed consistently within Departments.

Essential User and Car Park Space Allocation

The Council had 1567 employees designated as Essential Car Users at 31st March 2007. There was an increase of 43 Essential Car Users, during the year,

in the Children's Services Department which can be attributed to the transfer of Social Care Staff, in Adult Services the increase of 107 can be attributed to the changes within the Home Care Service and the need for Home Care staff to be fully mobile to undertake the requirements of the new service.

During this reporting period 616 car park spaces were allocated to staff. In Children's Services the additional 24 spaces can be attributed to staff transferring their place of work to Paderborn House but still needing to be mobile. In Environmental Services the additional 34 car park spaces can be attributed to the closure of part of the depot and the need to provide alternative car parking spaces.

Recommendation:

Corporate Guidelines on the criteria for, and allocation of, Essential User Car Allowances and Car Park spaces are currently being finalised to ensure a consistent approach, to the allocation of Essential Car User status and Car Park spaces, across the Council. These Guidelines will be the subject of a separate report to the Human Resources Policy Development Group in due course.

3. EMPLOYEE MANAGEMENT

Analysis of data for the period 1st April 2006 – 31st March 2007 and Recommendations.

Disciplinary Cases

For the period 1st April 2006 to 31st March 2007, 65 employees were dealt with under the Council's Disciplinary and Dismissal Procedure, compared to 43 in the previous reporting period. In this reporting period, 4 employees were suspended, 1 employee resigned during the disciplinary process, 27 verbal warnings were issued, 5 hearings resulted in a first written warning, 13 hearings resulted in a final written warning. There were 4 dismissals. In 11 cases no disciplinary action was taken.

Dismissal Appeals to Elected Members

There were 2 Dismissal Appeals made to Elected Members, 1 of which was upheld and 1 was dismissed. In the previous reporting period there were 3 Dismissal Appeals.

Employment Tribunals

There were 2 applications to the offices of the Employment Tribunal. These cases are yet to be heard.

Cases registered at the offices of the Employment Appeals Tribunal in relation to Equal Pay have not been included in this report as the majority of claims were lodged post 1st April 2007, which is outside this reporting period.

Recommendation:

The next Workforce Management Report, which will cover the period 1st April 2007 – 31st March 2008, to provide a detailed breakdown of all the Equal Pay Grievances that progress to Employment Tribunal.

Managing Capability

There were 15 employees being managed under this Procedure, compared to 3 in the previous reporting period. Of these 15 cases, 10 were resolved

informally through Counselling, 3 cases were resolved formally at Stage 1 of the Procedure, 2 cases were resolved formally at Stage 2 and these employees were issued with a Final Warning.

There were no appeals to Elected Members against dismissal under the Managing Capability Procedure during this reporting period.

Medical Incapacity

The number of employees managed under the Medical Incapacity Procedure for the period 1st April 2006 to 31st March 2007 was 306 compared to 171 in the previous reporting period.

The formal stages of the Medical Incapacity Procedure are, inevitably, time consuming and at any given time there will be cases ongoing in Departments. However, the increase in the number of cases being dealt with under the Procedure, during this reporting period, demonstrates that attendance issues are being managed more pro-actively across all Departments.

There were no Appeals to Elected Members against dismissal under the Medical Incapacity Procedure during this reporting period.

Recommendation:

HR teams to support managers to ensure that attendance issues continue to be managed more pro-actively across all Departments.

Grievances

In this reporting period 33 employees lodged a Grievance, compared to 23 in the previous reporting period.

It is important to emphasise that employees can progress through the various stages of the Grievance Procedure until their Grievance has been exhausted.

Grievances in relation to Equal Pay have not been included in this report as the majority of Grievances were registered post 1st April 2007, which is outside this reporting period.

Recommendation:

The next Workforce Management Report, covering the period 1st April 2007 – 31st March 2008, will provide a detailed breakdown of all Equal Pay Grievances lodged and the outcome of these Grievances.

Grievance Appeals to Elected Members

There was 1 appeal to the Joint Grievance Appeals Panel during this reporting period which was partially upheld. In the previous reporting period there were no appeals to the Joint Grievance Appeals Panel.

Anti Harassment Investigations

There were 3 complaints under the Anti Harassment Procedure, during this reporting period. One complaint was resolved informally, 1 complaint was resolved formally and 1 case resulted in disciplinary action being recommended, however the employee, (the alleged harasser), resigned before the disciplinary action commenced. In the previous reporting period there were 6 Anti Harassment complaints lodged.

It should be noted that the data reported in relation to Anti Harassment complaints does not always provide a complete record of the number of Anti Harassment complaints made as informal complaints are not always recorded. Given the often sensitive nature of the complaints, employees, on occasions, may prefer to discuss their concerns with their HR Managers, Trades Union representatives or Harassment Support Workers on a confidential basis and request that no formal action is taken. In a number of cases the matter can be resolved satisfactorily on an informal basis between the parties involved.

Recommendation:

The success of the Anti-Harassment Procedure, in part, depends on the availability of trained and available Harassment Support Workers across the Council.

In recent years the number of trained Harassment Support Workers has declined as employees have moved on within the Council or obtained employment outside of the Council. It is recommended a 'recruitment' campaign be launched which will offer training and support to those employees who volunteer to undertake the role of Harassment Support Worker.

Management of the Probationary Period Procedure

This Probationary Period Procedure was developed to ensure that all new employees meet the basic requirements of their job and perform to the standards required by the Council. The Procedure reflects the Council's commitment to the Investor in People standard and aims to ensure that all new employees are provided with adequate training and development opportunities to support them in their employment.

During this reporting period the majority of new employees successfully completed their six month probationary period following appointment. However, there were 42 employees who were not performing to the standards required by the Council and were therefore managed formally through the Probationary Period Procedure. In the previous reporting period there were 7 staff formally managed through the Procedure.

Recommendation:

Managers continue to ensure staff are supported through the initial six months of employment with the Council and are provided with the appropriate training and development opportunities to develop the skills, knowledge and competencies to carry out their full duties and responsibilities.

The current Procedure has been in operation for some years and will be reviewed in the next six months to ensure compliance with employment legislation, including introducing a right of appeal in line with existing HR Policies and Procedures.

4. PAY AND REMUNERATION

Analysis of data for the period 1st April 2006 – 31st March 2007 and Recommendations.

Departmental Led Gradings

It was accepted by the Trade Unions in September 2004, that Departmental led grading changes would be put on hold pending the outcome of the Pay and Grading Review therefore there are no departmental led gradings to report in this reporting period.

Appeals to the Regrading Appeals Panel

Following consultation, with the Trades Unions, it was also agreed, that no new Regrading Appeals would be processed after September 2004 pending the completion of Pay and Grading Review.

There was, however, 1 outstanding regrading appeal brought forward, from the previous reporting period, which was heard and dismissed by the Regrading Appeals Panel during this reporting period.

Honoraria Payments

Due to a combination of managerial realignment and the transfer of data from the payroll system to Oracle it was not possible in the previous reporting period, (1st April 2005 – 31st March 2006), to provide a full years data in relation to the payment of honoraria.

In this reporting period the cost of honoraria payments totalled £929,203. The average cost of an honoraria payment was £1019.98 and 911 honoraria payments were made to staff during this reporting period.

The number of honoraria payments awarded, during this reporting period, can be attributed in part to the on-going Pay and Grading Review coupled with the fact that no new regrading applications have been processed since September 2004. It is anticipated that once the results of the Pay and Grading Review have been implemented the number of honoraria payments made should reduce significantly.

Recommendation:

HR Managers to undertake a quarterly review of Honoraria payments made within Departments to ensure compliance with the Corporate Guidelines on Acting Up, Honoraria and Accelerated increment Payments.

Market Rate Pay Supplements

The payment of Market Rate Pay Supplements, (MRPS), assists the Council to recruit and retain employees within specific service areas where the salary levels determined for the posts concerned compare unfavourably with salaries paid by external organisations.

In this reporting period there were 57 employees in receipt of a MRPS. The additional 8 MRPS awarded, in this reporting period, were in the Policy and Transport Planning Section of the Development and Regeneration Department where it has become increasingly difficult to recruit professional staff and retain existing professional staff.

The value of the MRPS varies between 12.5% and 15% depending on the specific market conditions for the employees concerned.

Recommendation:

The allocation of MRPS continue to be subject to annual review and be reported to Elected Members.

HR Managers to monitor the allocation of MRPS, including an assessment of their impact on recruitment and retention within their respective Departments, on an annual basis.

5. Pay and Grading Review

Elected Members will be aware that as part of the 2004 National Pay Award, local pay reviews had to be completed and implemented, in partnership with the Trades Unions, by 2007.

The Council wide Job Evaluation exercise commenced in November 2004 and all posts, some 2000 in total, were evaluated by spring 2007.

Following publication of the Job Evaluation Scores in June 2007 the Pay and Grading Team have been involved in registering the 1550 Job Evaluation Appeals received to date.

Once all Appeals have been undertaken, the ranking of jobs will be confirmed and the next stage in the process, ie: developing the Council's grading structure, will commence.

Elected Members will be aware that a Corporate Pay Policy has been agreed which, amongst other things, seeks to provide a more robust framework for future pay determination.

Recommendation:

The next Workforce Management Report, covering the period 1st April 2007 – 31st March 2008, will provide a detailed breakdown of all Job Evaluation Appeals lodged and the outcome of these Appeals.

6. Recommendations

6.1 Elected Members are asked to:

a) Note and comment on the contents of the Report.